

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

JEREMY R BURTON

Debtor

CASE NO: 22-03553-EG

(CHAPTER 13)

**NOTICE OF MOTION TO DISMISS CHAPTER 13 CASE AND POSSIBLE HEARING**

James M. Wyman, the Chapter 13 Trustee, has filed papers with the court to dismiss this Chapter 13 case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to dismiss this Chapter 13 case, or if you want the court to consider your views on the motion to dismiss, then on or before twenty-one (21) days from the date of service, you or your attorney must:

File with the court a written response explaining your position at:

U.S. Bankruptcy Courthouse  
J. Bratton Davis  
1100 Laurel Street  
Columbia, SC 29201-2423

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also send a copy to:

James M. Wyman  
Office of the Chapter 13 Trustee  
P.O. Box 997  
Mt. Pleasant, SC 29465-0997

If a response is filed, a hearing will be held on March 30, 2023 at 10:30 am at 145 King Street, Room 225, Charleston, SC 29401.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated: February 15, 2023

/s/Russell Jackson, II

PO Box 997

Mt. Pleasant, SC 29465-0997

Phone: (843) 388-9844

Fax: (843) 388-9877

Email: 13office@charleston13.com

UNITED STATES BANKRUPTCY COURT  
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IN RE:

JEREMY R BURTON

Debtor

CASE NO: 22-03553-EG

(CHAPTER 13)

**MOTION TO DISMISS CASE**

The Trustee hereby requests the dismissal of the above case for the following reason(s):

**The Debtor failed to appear at the scheduled First Meeting of Creditors (this deficiency may be cured with appearance at continued Meeting).**

**The Debtor failed to make timely payments to the Trustee.**

**Failure to attend the Meeting of Creditors, without excuse, constitutes cause to dismiss pursuant to 11 U.S.C. §1307(c)(1). The payments in the amount of \$1,579.00 were to commence in January 2023. No payments have been received to date. Failure to commence making timely payments is a basis for dismissal pursuant to 11 U.S.C. §1307(c)(4).**

Trustee asserts that the above has caused delay which could be prejudicial to creditors unless timely cured, and the Trustee asks for dismissal. Trustee further requests that if the above issues are cured, but the plan is not confirmable for any other reason, because additional documents, trustee payments, or plan are required, that the court consider dismissal of the case at confirmation hearing, pursuant to 11 U.S.C. §1307(c).

Dated: February 15, 2023

/s/James M. Wyman

Chapter 13 Trustee  
PO Box 997  
Mt. Pleasant, SC 29465-0997  
Phone: (843) 388-9844  
Fax: (843) 388-9877  
Email: 13office@charleston13.com

**22-03553-EG**

**CERTIFICATE OF SERVICE**

The undersigned states that he/she served the Trustee's Motion to Dismiss on the on the parties listed below by mailing to them, on this date, copies of the motion, first class, postage prepaid, and addressed as follows:

JEREMY R BURTON  
1028 ORLEANS ROAD  
CHARLESTON, SC 29407

MOSS & ASSOCIATES ATTORNEYS P.A.  
816 ELMWOOD AVENUE  
COLUMBIA, SC 29201-0000

Date: February 15, 2023

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/s/Russell Jackson, II  
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Mt. Pleasant, SC 29465-0997  
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Fax: (843) 388-9877  
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